## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION	)
THIS DOCUMENT RELATES TO ALL ACTIONS	) Judge Patti B. Saris ) )

## **DECLARATION OF CHARLES HANNAFORD**

- I, Charles Hannaford, under the penalty of perjury, hereby declare as follows:
- 1. I am the Fund Administrator for the Pipefitters Local 537 Trust Funds (the "Fund"). Our office is located at 35 Travis Street, Unit One, Allston, Massachusetts.
- 2. The Pipefitters uses Blue Cross Blue Shield of Massachusetts ("BCBS of MA") as its third-party administrator to process medical benefit claims for our plan members. BCBS of MA has performed this function for us for many years.
- 3. My understanding is that, based on arrangements between BCBS of MA and participating physicians, payments made by the Fund for physician-administered drugs, including those at issue in this lawsuit, are based on Average Wholesale Price ("AWP").
- 4. BCBS of MA compiled claims data for the Fund for the period 1995 through 2003, showing AWP-based payments for physician-administered drugs manufactured by what I have learned are the "Track One Defendants." This claims data, which has been provided to Defendants in electronic form, is attached in paper form to this Declaration.

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed this 14<sup>th</sup> day of December, 2005.

Charles Hannaford Fund Administrator

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1080	611.52	0	0	0	611.52 11/07/03	002225284	9
260.4	O	0	Ö	O	0 06/16/95	002225284	
260.4	55.16	0	11.03	o	44.13 06/16/95	002225284	05
260.4	O	0	0	0	0 06/16/95	002225284	
260.4	55.16	O	0	О	55.16 06/16/95	002225284	05
495	0	0	Ö	Ö	0 04/21/00	002225284	10
495	180	0	18	0	162 04/21/00	002225284	10
495	o	0	0	Ö	0 04/21/00	002225284	10
495	180	0	18	0	162 04/21/00	002225284	10
495	0	0	0	0	0 04/21/00	002225284	10
495	180	0	18	0	162 04/21/00	002225284	10
495	0	0	0	0	0 04/28/00	002225284	10
495	180	0	18	j0	162 04/28/00	002225284	10
	0	0	0	0	0 04/28/00	002225284	10
495	180	0	18	0	162 04/28/00	002225284	10
	0	0	0	ō	0 05/05/00	002225284	10
	180	0	18	Ö	162 05/05/00	002225284	10
495	0	0	0	0	0 02/02/00	002225284	10
<u></u>	180	0	18	0	162 05/05/00	002225284	10
	0	0	0	0	0 02/02/00	002225284	10
	180	0	18	Ö	162 05/05/00	002225284	40
	0	0	0	0	0 02/02/00	002225284	10
	180	0	18	O	162 05/05/00	002225284	10
	0	0	0	O	0 02/02/00	002225284	10
	177.6	0	17.76	Ö	159.84 05/05/00	002225284	10
	0	0	0	Ö	0.05/12/00	002225284	10
	177.6	0	17.76	0	159.84 05/12/00	002225284	10
	0	0	0	Õ	0 06/16/00	002225284	5
	177.6	0	17.76	Ö	159.84 06/16/00	002225284	10
	0	0	0	0	0 06/23/00	002225284	10
495	177.6	0	17.76	Ö	159.84 06/23/00	002225284	9
	0	O	0	Ö	0 05/26/00	002225284	10
495	177.6	0	0	0	0 05/26/00	002225284	10
-	0	O	0	o	0 06/23/00	002225284	9
495	177.6	0	17.76	0	159.84 06/23/00	002225284	2
495	0	0	0	0	0 06/23/00	002225284	10
495	177.6	0	17.76	0	159.84 06/23/00	002225284	9
1258.26	0	0	0	Õ	0 04/12/96	002225284	10
1258.26	0	0	0	0	0 04/12/96	002225284	10
558	0	0	0	O	0 02/17/95	002225284	
558	118.2	0	0	0	118.2 02/17/95	002225284	02
2550	0	Ö	O	O	0 08/09/02	002273991	10
2550	1971	0	197.1	0	1773.9 08/09/02	002273991	10
2400	0	0	0	0	0 09/13/02	002225284	10
2400	1971	0	197.1	0	1773.9 09/13/02	002225284	10
2400	0	0	0	0	0 09/27/02	002225284	10
2400	1971	0	197.1	0	1773.9 09/27/02	002225284	10
2640	0	0	0	0	0 03/28/03	002225284	10
2640	1971	0	197.1	jo	1773.9 03/28/03	002225284	10
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## **CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **DECLARATION OF CHARLES HANNAFORD** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on December 15, 2005, a copy to LexisNexis File & Serve for posting and notification to all parties.

By /s/ Steve W. Berman

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(206) 623-7292